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NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

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ALFREDO BARAJAS and MARCO
HERNANDEZ,

No. C05-01934 RMW (HRL)

Plaintiffs,

**ORDER SETTING BRIEFING
SCHEDULE RE PLAINTIFFS' MOTION
TO FILE AMENDED COMPLAINT**

14 v.
15 OFFICER HERNANDEZ, BADGE NO. 2538;
16 OFFICER ESTRADA, BADGE NO. 1978;
17 JOHN DOE, RICHARD ROE, THOMAS
WHEATLEY, CITY OF SAN JOSE, LA
CUMBRE ENTERPRISES, INC. d.b.a. CLUB
CARIBE; DOES 1-50,

Defendants.

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Plaintiffs' "Motion to File Amended Complaint And to Add Party" has been referred to
the undersigned for disposition. This court is informed that (1) defendants Hernandez, Estrada
and the City of San Jose stipulate to the filing of the amended pleading; and (2) defendant Club
Caribe intends to file a response to the motion. Plaintiffs apparently were given leave to file
their motion on shortened time. Insofar as no deadlines for responsive papers have yet been set,

IT IS ORDERED THAT:

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1. Defendant Club Caribe's response shall be filed no later than **Monday, January
23, 2006**.

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2. Plaintiffs' reply (if any) shall be filed no later than **Wednesday, January 25,
2006**.

1 3. This court is currently inclined to take the matter under submission on the papers
2 without oral argument. If, after review of the parties' papers, the court determines that a
3 hearing is necessary, it will provide advance notice to the parties.

IT IS SO ORDERED.

5 || Dated: January 19, 2006

/s/ Howard R. Lloyd
HOWARD R. LLOYD
UNITED STATES MAGISTRATE JUDGE

1 5:05-cv-1934 Notice will be electronically mailed to:

2 Anthony Boskovich policemisconduct@compuserve.com

3 Robert Baker Burchfiel CAO.Main@ci.sj.ca.us

4 Irene K. Yesowitch iyesowitch@longlevit.com,

5
6 Counsel are responsible for distributing copies of this document to co-counsel who have not
7 registered for e-filing under the court's CM/ECF program.

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